

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JULY 17, 1989
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:04 p.m. Council Member Pratt welcomed Reverend Leon Bracey and students from the Southeast Presbyterian Church. Mayor O'Connor adjourned the meeting at 6:53 p.m. into Closed Session on Tuesday, July 18, 1989 at 9:15 a.m. in the twelfth floor conference room to discuss pending and potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour; Fishkin (tm)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

ITEM-10: INVOCATION

Invocation was given by Major Richard Love of the
San Diego County Headquarters of the Salvation Army.

FILE LOCATION: MINUTES

Jul-17-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Roberts.

FILE LOCATION: MINUTES

Jul-17-1989

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

6/12/89

6/13/89

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A078-082.)

MOTION BY PRATT TO APPROVE. Second by McCarty. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

- * ITEM-50: (O-89-224) ADOPTED AS ORDINANCE O-17325 (New Series)

Incorporating those commercially designated areas in the Voltaire Street Commercial District, which generally extend along Voltaire Street between Chatsworth Boulevard westerly to the intersection of Voltaire Street, Mendocino Boulevard and Venice Street, into the (Type B) Community Plan Implementation Overlay Zone (CPIOZ).

(District-2. Introduced on 6/20/89. Council voted 8-0. District 8 not present.)

FILE LOCATION: LAND - Peninsula Community Plan

COUNCIL ACTION: (Tape location: A177-189.)

MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

- * ITEM-100: (R-89-2495) ADOPTED AS RESOLUTION R-273981

Awarding a contract to J. G. Tucker and Son, Inc., for furnishing calibration, certification and repair of gas detection equipment, as may be required for a period of one year beginning August 1, 1989 through July 31, 1990, for an estimated cost of \$48,588, including terms, with options to renew the contract for two additional one-year periods, with option period price escalation not to exceed 10 percent of prices in effect at the end of the prior year. (BID-0752/89)

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

- * ITEM-101: (R-89-2496) ADOPTED AS RESOLUTION R-273982

Awarding a contract to Office Pavilion, for furnishing and installing Herman Miller Floor-To-Ceiling Movable Walls, as may be required for a period of four months beginning July 1, 1989 through October 31, 1989, for an estimated cost of \$150,000, with an option to renew the contract for one year after October 31, 1989.
(BID-0832/89)

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-89-2488) ADOPTED AS RESOLUTION R-273983

Awarding a contract to Spaulding Lighting Inc., for the purchase of 714 low pressure sodium street luminaires complete with lamp (Spaulding LTG Model PXSL-C-55-LPS-MA-111-120/240 with Osram SOX 55) for a total cost of \$89,034.23, including tax. (BID-0751/89)
Aud. Cert. 8901101.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-89-2494) ADOPTED AS RESOLUTION R-273984

Authorizing the Purchasing Agent to invite bids and award contracts for the demolition of structures, as may be required for a period of one year beginning July 1, 1989 through June 30, 1990. (BID-0833/89)

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-89-2652) ADOPTED AS RESOLUTION R-273985

Approving the acceptance by the City Manager of a street easement deed of 69th Street Ltd., granting to the City an easement for public street purposes in a portion of Lot 1 in Block 9 of La Mesa Colony Townsite, Map-346; dedicating said land as and for a public street and naming the same 69th Street.
(Mid-City Community Area. District-7.)

FILE LOCATION: DEED F-4985 DEEDFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-89-2651 Cor. Copy) ADOPTED AS RESOLUTION R-273986

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Approving the acceptance by the City Manager of a street easement deed of Philip S. Ojena and Thelma M. Ojena, granting to the City an easement for public street purposes in a portion of Lots 7, 8, 9 and 10, Block 182 of Middletown, and in a portion of Parcels A and B of Parcel Map-640; dedicating said land as and for a public street and naming the same Hancock Street.

(Pacific Highway Community Area. District-2.)

FILE LOCATION: DEED F-4986 DEEDFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-89-2653) ADOPTED AS RESOLUTION R-273987

Approving the acceptance by the City Manager of that deed of Aventine Partners, conveying to the City a general

utility easement in a portion of Lots 1 and 2 of University Center, Map-10987; authorizing the execution of a quitclaim deed, quitclaiming to Aventine Partners all of the City's right, title and interest in the general utility easement in a portion of Lots 1 and 3 of University Center, Map-10987.

(University Community Area. District-1.)

FILE LOCATION: DEED F-4987 DEEDFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107:

Two actions relative to utility and building restricted easement exchanges in Lot 1 of Tierrasanta Norte V Unit No. 1, Map-12329:

(Located northerly of Portobelo Drive and Via Vallarta. Tierrasanta Community Area. District-7.)

Subitem-A: (R-89-2660) ADOPTED AS RESOLUTION R-273988

Approving the acceptance by the City Manager of that deed of Tierrasanta L-L Partnership, conveying to the City a building restricted easement in Lot 1 of Tierrasanta Norte V Unit No. 1, Map-12329; authorizing the execution of a quitclaim deed, quitclaiming to Tierrasanta L-L Partnership all the City's right, title and interest in the above building restricted easement.

Subitem-B: (R-89-2661) ADOPTED AS RESOLUTION R-273989

Approving the acceptance by the City Manager of that deed of Tierrasanta L-L Partnership, conveying to the City a sewer and water easement in Lot 1 of Tierrasanta Norte V Unit No. 1, Map-12329; authorizing the execution of a quitclaim deed, quitclaiming to Tierrasanta L-L Partnership all the City's right, title and interest in the above general utility and building restricted easement.

FILE LOCATION: Subitem-A - DEED F-4988
Subitem-B - DEED F-4989 DEEDFY90-2

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-89-2657) ADOPTED AS RESOLUTION R-273990

Vacating the City's interest in an unneeded general utility easement affecting Lots 3 and 11 of Block 4, Nettleship-Tye Tract No. 1 pursuant to Section 8300 et seq. of the Streets and Highways Code.

(Located west of Mission Boulevard, between Beryl Street and Law Street. Pacific Beach Community Area.

District-6.)

CITY MANAGER SUPPORTING INFORMATION: An application has been filed with the Engineering and Development Department for removal of a general utility easement which presently encumbers a parcel of land in Pacific Beach. Plans have been conditionally approved for construction of a single family residence, pending vacation of the easement. The City of San

Diego acquired the 6-foot-wide easement without cost in 1926 when the map of Nettleship-Tye Tract No. 1 was recorded. City records indicate that the easement has never been used, and it has no potential value. Cognizant City departments have reviewed this request, and recommended Council action to remove the encumbrance by passage of a Resolution of Abandonment. WU-PR-89-190.

FILE LOCATION: DEED F-4990 DEEDFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-89-2614) ADOPTED AS RESOLUTION R-273991

Vacating the City's interest in an unneeded general utility easement affecting Parcel 1 of Parcel Map PM-4208,

pursuant to Section 8300 et seq. of the Streets and
Highways Code.
(Southeast San Diego Community Area. District-4.)

FILE LOCATION: DEED F-4991 DEEDFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-89-2650) ADOPTED AS RESOLUTION R-273992

Excusing Council Member Judy McCarty from attending the
morning portion of the City Council meeting for June 13,
1989, to represent the City at the County Board of
Supervisor's meeting regarding Mission Trails Regional
Park.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-89-2665) ADOPTED AS RESOLUTION R-273993

Authorizing the execution of an agreement with Stastny
Architects to develop and manage an architectural design
competition for the Civic Center Complex; authorizing the
expenditure of an amount not to exceed \$150,000 (\$90,000
from Building Inspection Fund 41300 and \$60,000 from Water
Revenue Fund 41502), for the purpose of providing funds for
the above project.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On February 14, 1989,
the City Manager's Office issued a Request for Qualifications
(RFQ) for a program advisor to develop and manage an
architectural design competition for the new Civic Center. The
RFQ was published in the press and was sent directly to
professional program advisors throughout the country as well as

to a number of architectural firms requesting the RFQ. On March 10, 1989, eight responses were received -- all from professional program advisors; four were selected for interviews by a Selection Committee. This Committee consisted of two representatives from the City Manager's Office, the City Architect, two representatives from the Local AIA chapter and former Assistant City Manager John P. Fowler. On March 29, 1989, Don Stastny was selected unanimously by the Selection Committee. Mr. Stastny's design competition experience includes the Walt Disney Concert Hall, the Beverly Hills Civic Center, Domaine Clos Pegase and Pioneer Courthouse Square.
Aud. Cert. 9000058.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-89-2662) ADOPTED AS RESOLUTION R-273994

Authorizing the execution of an agreement with Arnelle, Hastie and Stradling, Yocca, Carlson and Rauth, to provide bond counsel services in connection with the Civic Center Complex Project; declaring that their fee of an amount not to exceed \$75,000, is contingent upon the sale of bonds in connection with the above-named project and shall be reimbursed from bond proceeds.

(Centre City Community Area. District-8.)

Aud. Cert. 9000056.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-89-2676) ADOPTED AS RESOLUTION R-273995

Authorizing the execution of a contract with General

Dynamics Corporation in the amount of \$15,000 for the purpose of hiring eight economically disadvantaged youth during the summer to implement a six-week employment and training program at General Dynamics.

CITY MANAGER SUPPORTING INFORMATION: The General Dynamics Corporation is contributing \$15,000 to the City to fund a summer internship program for eight economically disadvantaged JTPA eligible youth during the Summer of 1989. The City's Regional Youth Employment Program (REGY) will be the recipient of these funds, and will provide the recruitment, eligibility determination, counseling, placement, payroll processing and

overall coordination and administration of this program. The youth will be recruited and certified eligible by REGY and will be provided with a general labor market orientation and a pre-employment workshop before starting work at the General Dynamics Kearny Mesa facility. General Dynamics staff will provide work site supervision, training and hands-on work experience, so that each youth will receive realistic exposure to the operation of private industry. REGY is currently operating the Summer Hire-A-Youth employment program throughout the San Diego Metro area, and the addition of this special internship program will be compatible with the larger Summer Hire-A-Youth program.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Two actions relative to the lease agreement with Sammis Properties, for development of 20.3 acres of Montgomery Field:

(See City Manager Report CMR-89-23. Kearny Mesa Community Area. District-5.)

Subitem-A: (R-89-1322) ADOPTED AS RESOLUTION R-273996

Authorizing the execution of a 50-year percentage lease agreement with Sammis Properties, for the development of 20.3 acres of Montgomery Field for a fixed base aviation

operation and office complex on Lots 12 and 13, and 2.4 adjacent acres.

Subitem-B: (R-89-1323) ADOPTED AS RESOLUTION R-273997

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-86-0568, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said report has been reviewed and considered by the Council.

COMMITTEE ACTION: Reviewed by PFR on 1/25/89.

Recommendation to approve the City Manager's recommendation to execute the agreement. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: LEAS - Sammis Properties LEASFY90-1

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-90-1) HEARING APPROVED AS AMENDED

Matters of:

A) The Annual Appropriation Ordinance (Budget) proposed to be adopted for the Fiscal Year 1989-90.

(This is the first of two public hearings scheduled pursuant to the provisions of Section 71 of the City Charter which provides that the Annual Appropriation Ordinance shall be adopted during the month of July.

B) Use of General Revenue Sharing Funds and the relationship of these funds to the Annual Budget.

(This is the time set for citizens to ask questions and express their views, either verbally or in writing, concerning the use of General Revenue Sharing Funds.)

NOTE: The second public hearing and introduction and adoption of the Annual Appropriation Ordinance will be on Tuesday, July 18, 1989. See Item 330.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B065-C491.)

MOTION BY McCOLL TO APPROVE THE FIRST HEARING AS AMENDED AS STATED IN CITY MANAGER REPORT NUMBER 89-328, WITH CHANGES TO PAGE TWO TO REFLECT THAT SHARP WILL FUND THE \$225,000 DEFIBRILLATOR PROGRAM WITH THE EXCEPTION OF \$77,000 FOR EQUIPMENT; AND TO FUND THE COMMUNITY SERVICE OFFICERS BY DELETING FOUR NEW POLICE OFFICERS; AND TO FUND THE SAN YSIDRO SCHOOL DISTRICT PROGRAM FOR \$118,000 LEAVING A BALANCE OF \$211,000 WHICH WILL PARTIALLY FUND THE LIFEGUARDS; AND TO DIRECT STAFF TO REPORT TO THE PUBLIC SERVICES AND SAFETY COMMITTEE IN SIXTY DAYS WITH THE STATUS OF THE POLICE VOLUNTEER PROGRAM AND TO LOOK INTO THE FEASIBILITY OF FUNDING CALPIRG. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea. Motion by Wolfsheimer to direct the City Manager to pursue additional funding for the lifeguards by cutting agency budgets by three to four percent, and to use the additional funds to fund code enforcement and CALPIRG. No second. Motion withdrawn.

ITEM-201: (R-89-2538) CONTINUED TO AUGUST 7, 1989

(Continued from the meeting of June 6, 1989, Item S502B, at Council Member Roberts' request, for further review.)
Terminating the operating agreement between the City of San Diego and San Diego Data Processing Corporation for provision of data processing and telecommunication services, pursuant to paragraph 13(b) (3) of the basic operating agreement.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A082-177.)

MOTION BY ROBERTS TO CONTINUE TO AUGUST 7, 1989 FOR FURTHER REVIEW. Second by Pratt. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-ineligible.

ITEM-202:

Two actions relative to animal control services:
Subitem-A: (R-90-9) ADOPTED AS RESOLUTION R-274016

Authorizing the City Manager to execute an amendment

number one to the agreement for animal control services with the County of San Diego; authorizing the expenditure of an amount not to exceed \$1,345,822 from the General Fund 100, Non-Departmental Expenditures (Program 60101) for the above purpose subject to approval of the Fiscal Year 1990 proposed budget.

Subitem-B: (R-90-10) ADOPTED AS RESOLUTION R-274017

Authorizing the City Manager to execute a sixth supplemental agreement to the basic agreement for animal control service, on beaches and parks with the County of San Diego; authorizing the expenditure of an amount not to exceed \$231,659 for the above purpose, said funds to come from the General Fund 100, Non-Departmental Expenditures (Program 60101) subject to approval of the Fiscal Year 1990 proposed budget.

CITY MANAGER SUPPORTING INFORMATION: In FY 1989 the City entered into an agreement with the County under which the County recovers full costs for the provision of general animal control services. The Amendment Number One to Agreement for Animal Control Services extends the effective period of the agreement through June 30, 1990. The estimated cost for general animal control services for FY 1990 is \$1,345,822. This reflects the County's projection for services plus a 10 percent contingency as required under Section 23008 of the Government Code. In addition, the City has contracted with the County since 1977 for enforcement of various animal regulation ordinances on beaches and parks. The Sixth Supplemental Agreement to the Basic Agreement for Animal Regulation Service by The County of San Diego to the City of San Diego extends the effective date of the agreement through June 30, 1992. The agreement may be terminated by either party upon giving thirty days' written notice of intention to terminate. Except for exclusion of reference to funding for a motor vehicle in FY 1987, the terms of the agreement remain the same. The estimated cost for enforcement of various animal regulation ordinances on beaches and parks is \$231,659.
Aud. Cert. 9000068.

FILE LOCATION: MEET CONFY90-2

COUNCIL ACTION: (Tape location: G334-531.)

MOTION BY PRATT TO ADOPT AND TO REFER TO THE PUBLIC FACILITIES

AND RECREATION COMMITTEE THE FOLLOWING QUESTIONS: (1) SHOULD THE CITY TERMINATE THE AGREEMENTS WITH THE COUNTY WITHIN THE THIRTY DAY RETRACTION PERIOD; (2) COULD THE CITY PERFORM THIS SERVICE ON A COST RECOVERY BASIS; (3) SHOULD THE CITY UTILIZE THE RFP PROCESS; AND (4) WOULD ANY OF THESE OPTIONS RESULT IN ANY COST SAVINGS, IF SO, IT SHOULD BE USED FOR LIFEGUARD FUNDING. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400: (R-90-48) ADOPTED AS RESOLUTION R-273998

Authorizing the City Manager to negotiate the purchase of two fifth wheel trailers, two trucks, and required communications equipment to outfit the trucks as police facilities; authorizing the expenditure of an amount not to exceed \$200,000 from General Fund 100, Dept. 110, Job Order 111475; \$70,000 from Unallocated Reserve Fund 100, Dept. 901, Job Order 891102, and \$60,000 from Sefton Trust Fund 10126, Dept. 10126, Job Order 010126, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The City Council in May declared a state of emergency because of increasing problems with drugs, crime and violence on City streets. To help in combating the problem, Council in budget hearings voted to add 120 additional police officers and two mobile police facilities. The state of emergency requires that the mobile facilities be constructed, outfitted and operational at the earliest possible date. The Purchasing Agent has been directed to work with the Police Department to take the required steps to make these acquisitions as expeditiously as practicable. We expect these items will be procured through some combination of competitive bids, sole source and negotiated contracts.
Aud. Cert. 9000098.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-S401: (R-90-94) NOTED AND FILED AS A RESULT OF THE ITEM
BEING DOCKETED ERRONEOUSLY**

A Resolution approved by the City Council in Closed Session on Tuesday, July 11, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea;
Struiksma-yea; Henderson-yea; McCarty-yea; Filner-yea;
Mayor-yea.

Authorizing the City Manager to pay the sum of \$60,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Doretta Rogers, (Superior Court Case No. 592786, Doretta Rogers v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$60,000 made payable to Doretta Rogers and her attorney, Randie Lintz, in full settlement of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Doretta Rogers against the City of San Diego as a result of a traffic collision which occurred on November 21, 1985.
Aud. Cert. 9000074.

FILE LOCATION: MEET - (July 11, 1989, CS1)

COUNCIL ACTION: (Tape location: A189-198.)

Item adopted in Closed Session on July 11, 1989 as Item CS1, Resolution Number R-273967. Item was then re-docketed erroneously on the July 17, 1989 docket.

ITEM-S402: (R-89-2664) ADOPTED AS RESOLUTION R-274000

Authorizing the City Manager to file an Urban Development Action Grant Application, with the U.S. Department of Housing and Urban Development (HUD), under Section 119 of Title I of the Housing and Community Development Act of 1974, as amended, in the amount of \$1,500,000 for the purpose of obtaining an Urban Development Action Grant related to the development of the

San Diego Mercado project; authorizing the City Manager to file a Section 108 Loan Guarantee Assistance Application, with the U.S. Department of Housing and Urban Development (HUD), under Section 108 of the Housing and Community Development Act of 1974, as amended, in the

amount of \$1,215,000 for the purpose of obtaining a Section 108 loan for use in the development of the San Diego Mercado project; declaring that, contingent upon final grant approval, a 20 percent local match of \$375,000 is to be provided in the form of a City loan from prior year Community Development Block Grant funds from Fund 18519, Department 5713, Organization 1320 (\$60,000) and Fund 18523, Department 5633, Organization 3318 (\$315,000); authorizing the transfer, contingent upon final grant approval, of \$195,000 from Fund 18523, Department 5633, Organization 3304, to Fund 18523, Department 5633, Organization 3318 and of \$120,000 from Fund 18502 to Fund 18523, Department 5633, Organization 3318; authorizing the City Manager to seek the most favorable terms possible related to repayment terms, percentage of equity participation and form of security for the City in negotiations with the Department of Housing and Urban Development and San Diego Mercado Associates, project developer; authorizing the City Manager, contingent upon final grant approval, to accept a \$120,000 Community Development Block grant loan repayment from the City Redevelopment Agency.

(See City Manager Report CMR-89-330. Barrio Logan/Harbor 101 Community Area. District-8.)

COMMITTEE ACTION: Reviewed by RULES on 7/5/89.

Recommendation to support the City Manager's recommendations with the understanding that the commitment of future Community Development Block Grant funds not be a part of the Federal applications, and that negotiations include a minimal percentage share of tax increment for the County. Districts 2, 3, 4, and 6 voted yea. District 7 voted nay. Mayor not present. Aud. Cert. 9000039.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (O-89-219) INTRODUCED, TO BE ADOPTED JULY 31, 1989

Introduction of an Ordinance amending Chapter IV, Article 2, of the San Diego Municipal Code by adding Division 12, Section 42.1201, relating to the regulation of the Storage and Disposal of Medical Wastes.
(See City Manager Report CMR-89-331.)

COMMITTEE ACTION: Reviewed by RULES on 7/5/89.
Recommendation to adopt by reference a County Ordinance regulating the storage, treatment and disposal of quantities of bio-medical hazardous waste and other medical waste that are less than the quantities currently regulated by the State, and to request that the Intergovernmental Relations Department monitor the progress of related State Legislation and provide an update at a future Rules Committee meeting. Districts 2, 3, 4, 6 and 7 voted yea. Mayor not present.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A189-198.)
CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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ITEM-S404: (R-89-2516 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-274001

(Continued from the meeting of July 11, 1989, Item S403, at Council Member Roberts' request, for further review.)
Establishing, pursuant to San Diego Municipal Code Section 67.55, the following monthly water service charges, effective January 1, 1990:

1. Base Fee, per meter:

SIZE OF METER	CHARGES PER METER
1 inch and smaller	\$ 3.90
1-1/2 inch	\$ 19.55
2 inch	\$ 29.80
3 inch	\$ 111.56
4 inch	\$ 185.93
6 inch	\$ 418.33
8 inch	\$ 557.78

10 inch	\$ 743.70
12 inch	\$1,022.59
16 inch	\$1,673.31

2. In addition to the Base Fee above, there shall be a Commodity Charge for each unit of 100 cubic feet of water delivered:

USER CLASS	RATE*
Single Family Domestic	\$1.13 each for the first ten units
	\$1.30 each for subsequent units

All Other Classes \$1.20 each per unit

*Subject to adjustment per San Diego Municipal Code Section 67.59.1;

Establishing, pursuant to San Diego Municipal Code Section 67.59, the following monthly fire service and automatic fire sprinkler service charges, effective January 1, 1990:

SIZE OF SERVICE CONNECTION	RATE
1-1/2 inch	\$ 8.90
2 inch	\$ 11.88
3 inch	\$ 17.81
4 inch	\$ 23.74
6 inch	\$ 35.63
8 inch	\$ 47.50
10 inch	\$ 59.38
12 inch	\$ 71.25
16 inch	\$ 95.00
20 inch	\$118.75;

Establishing, pursuant to San Diego Municipal Code Section 67.05, maintenance and replacement fees for backflow prevention devices, effective January 1, 1990, as follows:

A. \$1.60 per month for each backflow prevention device which is 5/8, 3/4, 1, 1-1/2 or 2 inches in size.

B. \$3.20 per month for each backflow prevention device which is 3, 4 or 6 inches in size.

C. \$4.80 per month for each backflow prevention device which is 8, 10 or 12 inches or larger in size.

A dual backflow prevention device unit shall be charged a monthly fee one and one-half times that charged for one of the single backflow prevention devices that compose the unit;

Establishing, pursuant to San Diego Municipal Code Section 67.72, the following minimum water capacity charge, effective July 1, 1989:

A minimum capacity charge of \$1,651 per single family unit or its equivalent shall be paid, except where a capacity charge results in a payment to the City totaling more than the aforementioned charge;
Establishing, pursuant to San Diego Municipal Code Section 64.0404, the following monthly sewer service charges, effective July 1, 1989:

1. The domestic sewer service charge for each single family dwelling unit serviced by a separate water meter shall be \$19.87 per month. These charges shall remain in effect until such time as the City Manager establishes a lifeline rate and sewer service charge, based on water usage applicable to the single family domestic user class, and the further direction of the Council.

2. The monthly sewer service charge for all premises other than single family dwellings serviced by separate water meters shall be \$19.87 per month, or a charge per hundred cubic feet of water delivered, computed in accordance with the following table, whichever is the greater:

User Class	Average Suspended Solids Concentration (Parts per Million)	Rate Per HCF	Percent of Average Rate Per HCF
A	0 - 100	\$1.258	89.3 percent
B	101 - 200	1.320	93.6
C	201 - 300	1.410	100.0
D	301 - 400	1.410	100.0
E	401 - 500	1.499	106.4
F	501 - 600	1.561	110.7
G	601 - 700	1.620	114.9
H	701 - 800	1.680	119.2
I	801 - 900	1.740	123.5
J	901 - 1,000	1.802	127.8
K	1,001+	*	*

* Class K shall include all discharges of wastewater whose discharge exceeds 1,000 parts per million (PPM) of suspended solids. The rate per HCF will be individually computed for discharges in Class K by first increasing 127.8 percent by 4.27 percentage points for each 100 PPM by which the discharge exceeds 1,000 PPM, then multiplying the result by the average rate per HCF (\$1.410).

Establishing, pursuant to San Diego Municipal Code Section 64.0410, the minimum sewer capacity charge, effective

July 1, 1989:

A minimum capacity charge of \$2,903 per single family dwelling or its equivalent shall be paid except in those areas of the City where a capacity charge in the form of area charges result in a payment to the City totaling more than the aforementioned charge.

(See City Manager Reports CMR-89-340, CMR-89-308 and CMR-89-232.)

COMMITTEE ACTION: Reviewed by PSS on 6/21/89. Recommended approval of the City Manager's recommendation for water and sewer rate increases for 1989-90, adjustment of sewer rates based on water usage, and inclusion of "lifeline" rates. Districts 2, 4, and 7 voted yea. Districts 3 and 6 voted nay. Requested the City Manager to answer the following questions: 1) Value management, 2) the effect of reducing the reserve, 3) the true cost of new water and sewer connections, 4) how do the connection fees affect Single Room Occupancy (SRO) permits, and 5) explanation of reasons for increases in water and sewer rates other than secondary treatment and water reclamation. Requested the City Attorney to respond to questions raised on additional scientific information and requested the Intergovernmental Relations Department to respond to a legislative strategy to

include other major agencies who are implementing the Clean Water Act. Districts 2, 3, 6, and 7 voted yea. District 4 not present.

WU-WU-89-168.

FILE LOCATION: WATER - Service Charges

COUNCIL ACTION: (Tape location: D396-G219.)

Motion by Roberts to adopt the connection fee charges and monthly service charges as stated in City Manager Report Number 89-232 which would increase the water rate \$4.08 per bill.

Second by Pratt. Failed: 2,4,M-yea. 1,3,5,6,7,8-nay.

MOTION BY ROBERTS TO ADOPT A WATER HOOK UP FEE INCREASE FOR NEW DEVELOPMENT, WITH THE EXCEPTION OF REDEVELOPMENT AND LOW INCOME

SRO WHICH WILL BE REFERRED TO THE PUBLIC SERVICES AND SAFETY COMMITTEE. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

MOTION BY ROBERTS TO ADOPT A SEWER HOOK UP FEE INCREASE FOR NEW DEVELOPMENT, WITH THE EXCEPTION OF REDEVELOPMENT AND LOW INCOME

SRO WHICH WILL BE REFERRED TO THE PUBLIC SERVICES AND SAFETY

COMMITTEE. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksmay-yea, Henderson-nay, McCarty-yea, Filner-nay, Mayor
O'Connor-yea.

Motion by Roberts to increase sewer service charges by 26%
instead of by 47%. This increase would include the State Ocean
Plan Compliance, The Big Pipe and Water Reclamation secondary
treatment for a total of \$3.59 per month. Second by Pratt.

Motion withdrawn.

**MOTION BY ROBERTS TO INCREASE THE SEWER SERVICE CHARGE BY \$.11
PER MONTH FOR STATE OCEAN PLAN COMPLIANCE.** Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**MOTION BY ROBERTS TO INCREASE THE SEWER SERVICE CHARGE BY \$1.81
PER MONTH FOR WATER RECLAMATION.** Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksmay-nay, Henderson-nay, McCarty-yea,
Filner-nay, Mayor O'Connor-yea.

**MOTION BY ROBERTS TO INCREASE THE SEWER SERVICE CHARGE BY \$1.64
PER MONTH FOR THE BIG PIPE.** Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-nay,
Pratt-yea, Struiksmay-yea, Henderson-nay, McCarty-yea,
Filner-nay, Mayor O'Connor-yea.

**MOTION BY ROBERTS TO REFER THE LIFELINE ISSUE TO THE PUBLIC
SERVICES AND SAFETY COMMITTEE.** Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

MOTION BY PRATT TO SUSPEND THE RULES AND EXTEND THE MEETING.
Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea,
Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-S405: (O-89-246) INTRODUCED, TO BE ADOPTED JULY 31, 1989

(Continued from the meeting of July 10, 1989, Item S409, at
the City Manager's request, to correspond with the budget
hearings.)

Introduction of an Ordinance amending Chapter III,
Article 1, Division 3, of the San Diego Municipal Code by
adding Section 31.0306, relating to Taxation, to increase

the per employee tax from \$2.00 to \$4.00.

CITY MANAGER SUPPORTING INFORMATION: During the review of the FY 1990 Proposed Budget and Council consideration of other docket matters, existing and proposed work programs were approved contingent on available financing. In order to ensure adequate financing for the FY 1990 budget an increase of \$730,000 in General Fund revenue is required. It is proposed that the per employee component of the business tax be increased from two dollars to four dollars. This is estimated to generate the additional \$730,000 in revenue to the General Fund that is required.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G226-334.)

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S406: (R-90-6) ADOPTED AS RESOLUTION R-274002

Consideration of the following nominees for election by the Council to fill six vacancies on the San Diego Convention Center Corporation:

(See memorandum from Mayor O'Connor dated 7/6/89 with resumes attached.)

NOMINEE	NOMINATED BY
Mateo Camarillo	Council Member McColl
Joseph J. Fisch	Council Member Filner
Lucy Goldman	Council Member Wolfsheimer
James Granby	Council Member Struiksma
Mel Katz	Mayor O'Connor
Patricia A. McQuater	Council Member Pratt
Bruce N. Moore	Council Members McColl and Henderson
Dene Oliver	Council Member Roberts
Paul Blackwood	Council Member Filner

Authorizing the Mayor to assign terms to the above elected directors so that one term expires on December 1, 1989, three terms expire on December 1990, and two terms expire on December 1, 1991.

Today's action is adoption of a Resolution making six

appointments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A262-689.)

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Blackwood-5, Camarillo-6, Fisch-3, Goldman-5, Granby-6, Katz-7, McQuater-9, Moore-6, and Oliver-7.

MOTION BY McCOLL TO ADOPT A RESOLUTION APPOINTING MATEO CAMARILLO, JAMES GRANBY, MEL KATZ, PATRICIA McQUATER, BRUCE MOORE AND DENE OLIVER TO THE SAN DIEGO CONVENTION CENTER CORPORATION. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-90-235) ADOPTED AS RESOLUTION R-274003

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The matter of directing staff to work with CalTrans and the Hollins Lake Seniors to find a solution, during the interim period, for use of the lake by the seniors under similar terms as the present, as well as pursue funding from the Regional Transit Center for the Jackson Drive 52 Interchange.

(See City Manager Reports CMR-89-356 and CMR-89-357. District-7.)

(Directed by Council at the meeting of July 10, 1989.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A198-262; C491-D396.)

MOTION BY McCARTY TO ALLOW THE TERMINATION TO GO FORWARD AND TO DIRECT THAT THE CITY GIVE ALL SENIORS DISCOUNT DAY-USE RATES AT CITY RECREATIONAL FACILITIES SIMILAR TO THE COUNTY'S MODEL PROGRAM. Second by Struiksma. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-nay, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

MOTION BY STRUIKSMA TO APPROVE STAFF'S RECOMMENDATION ON THE JACKSON DRIVE/52 INTERCHANGE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-S408: (R-90-114) ADOPTED AS RESOLUTION R-274004

A Resolution approved by the City Council in Closed Session on Tuesday, July 11, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$100,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the wrongful death claim of Carl Christensen (Superior Court Case No. 560126, Carl R. Christensen, et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$100,000 made payable to Carl R. and Helen Christensen and their attorney, Mark Edwards, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the wrongful death claim of Carl Christensen as a result of the incident of April 28, 1985. Aud. Cert. 9000095.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S409: (R-90-96) ADOPTED AS RESOLUTION R-274005

A Resolution approved by the City Council in Closed Session on Tuesday, June 20, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-not present; Pratt-not present; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$225,000 in the settlement of the claims against the City, its agents and employees, resulting from the damages due to land subsidence to the real property at 1920 Nautilus Street, San Diego (Superior Court Case No. 588100, Steele, et al v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the

amount of \$225,000 made payable to Charles B. and Adrienne T. Steele, and their attorney of record, Richard Elliott of McInnis, Fitzgerald, Rees, Sharkey & McIntyre, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the property damage claim of Charles Steele and Adrienne Steele.
Aud. Cert. 9000096.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A189-198.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410: (O-90-15) INTRODUCED, TO BE ADOPTED JULY 31, 1989

Introduction of an Ordinance amending Chapter VIII, Article 6, of the San Diego Municipal Code by amending Section 86.11, relating to Parking Meter Zones and Rates - Authority, to raise basic parking meter rates as follows: 5 cents for four minutes, 10 cents for eight minutes, 20 cents for sixteen minutes, 25 cents for twenty minutes, and 75 cents for sixty minutes. It also provides for an evaluation after one year.
(See City Manager Report CMR-89-362.)
Aud. Cert. 9000088.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G531-553.)

MOTION BY PRATT TO INTRODUCE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:
None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE PLANNING DEPARTMENT

Comments given by George Wynhoff relative to Political
Signs placed on public property.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G553-645.)

ADJOURNMENT:

By common consent, meeting was adjourned by Mayor O'Connor
at 6:53 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G645).